

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROSCOE McCLENAN,

Plaintiff,

-against-

ORDER

12-CV-04909 (NGG) (LB)

DI CANGIARELLA, CAPT. JAMES COAN, LT.
DANIEL DAVIN, SGT. DONALD MORGAN,
CHIEF ANTHONY IZZO, and INSPECTOR
DIRUSSO,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

On September 26, 2012, Plaintiff Roscoe McClenan filed this action pro se against six New York City Police Department employees alleging violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq. (See Compl. (Dkt. 1).) On October 19, 2012, the court dismissed Plaintiff's Complaint and denied his request to proceed in forma pauperis ("IFP") without prejudice with leave to re-file both documents within thirty days. (Oct. 19, 2012, Mem. & Order (Dkt. 4).) The court warned Plaintiff that "[i]n the event that Plaintiff does not file either an amended IFP application or an amended complaint within this period, the Clerk of Court [will be] directed to close the case." (Id. at 2-3.)

Plaintiff has failed to file either an amended IFP application or an amended complaint as instructed, and the time to do so has passed. The Complaint is accordingly DISMISSED with prejudice. The Clerk of Court is respectfully directed to close the case. For purposes of any appeal, the court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any request to proceed IFP

would not be taken in good faith.

SO ORDERED.

Dated: Brooklyn, New York
November 27, 2012

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge